



BUDGET The United States
Department of the Interior
JUSTIFICATIONS
and Annual Performance Plan
Fiscal Year 2001

**BUREAU OF INDIAN
AFFAIRS**

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DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

Budget Justification, Fiscal Year 2001

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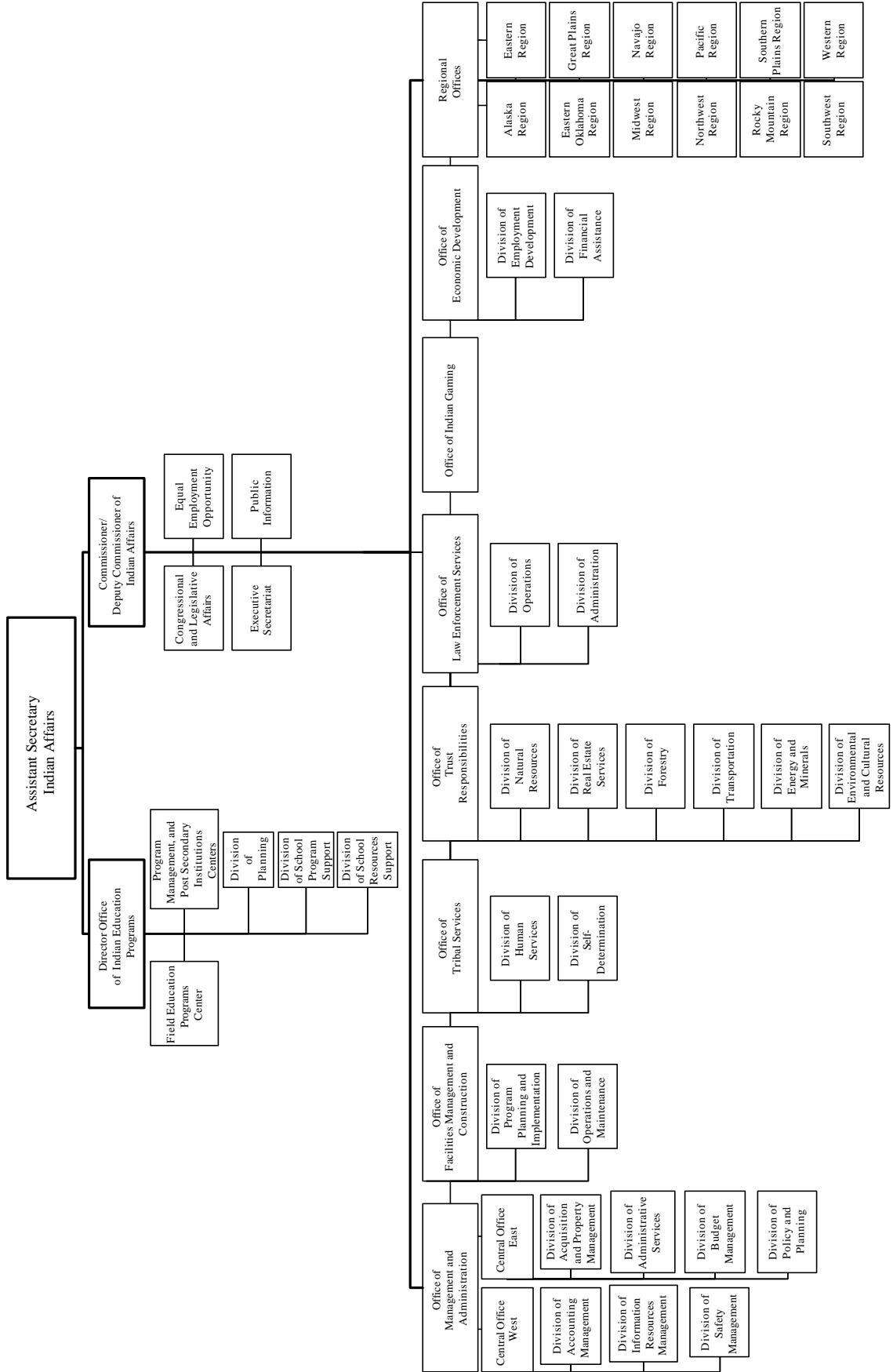
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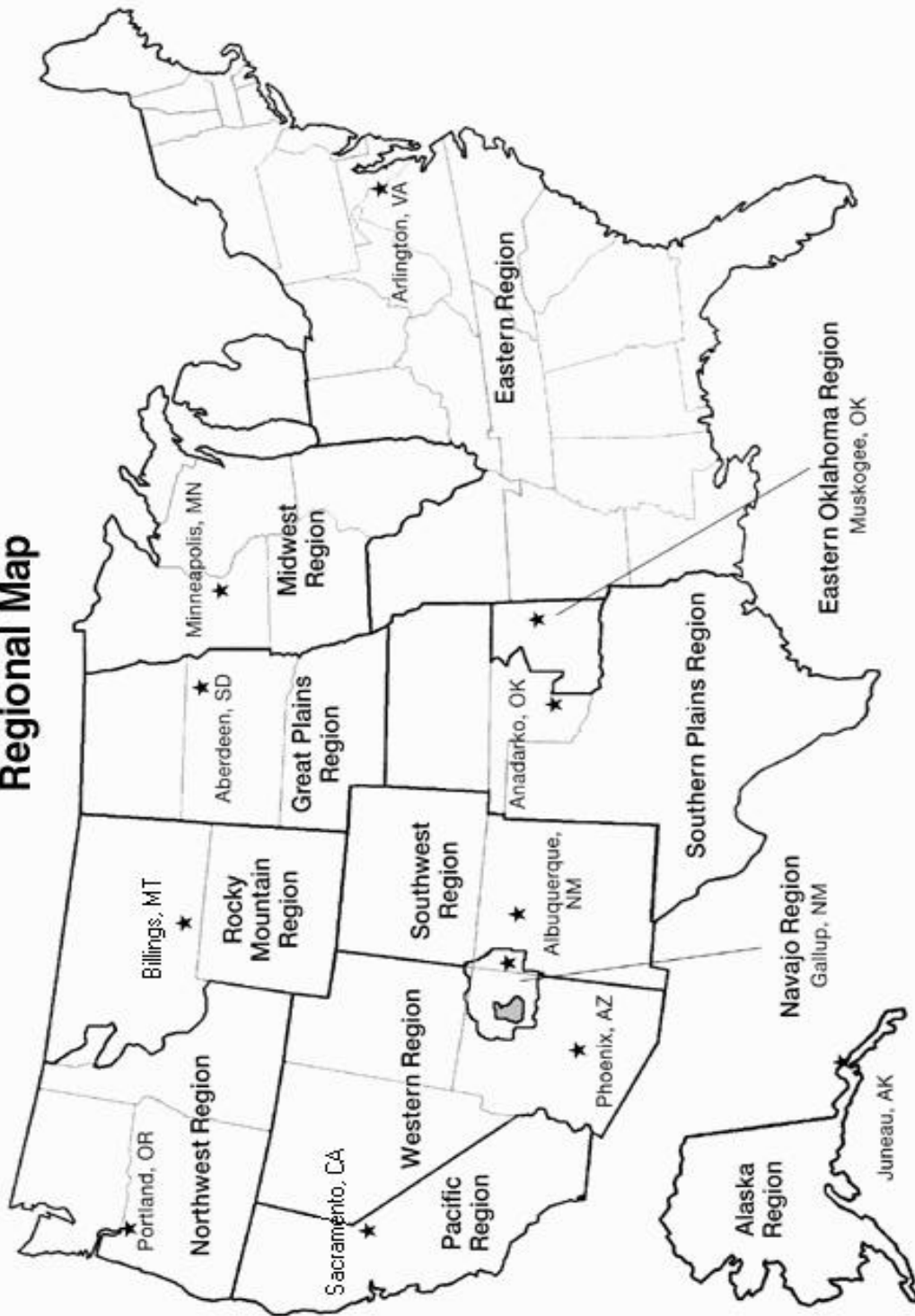
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Bureau of Indian Affairs



BUREAU OF INDIAN AFFAIRS

Regional Map



9/99

SUMMARY TABLE
BUREAU OF INDIAN AFFAIRS

		FY 2000 <u>Enacted</u>	FY 2001 <u>Request</u>	(+/-) <u>From 2000</u>
<u>Direct Appropriations:</u>				
Operation of Indian Programs	\$(000)	1,639,535	1,795,010	+155,475
	<i>FTE</i>	<i>8,105</i>	<i>8,681</i>	<i>+576</i>
Construction	\$(000)	197,404	365,912	+168,508
	<i>FTE</i>	<i>1,032</i>	<i>1,052</i>	<i>+20</i>
Indian Guaranteed Loan Program Account	\$(000)	4,985	6,008	+1,023
	<i>FTE</i>	<i>1</i>	<i>1</i>	<i>—</i>
Indian Land and Water Claim Settlements and Miscellaneous Payments to Indians	\$(000)	27,128	34,026	+6,898
	<i>FTE</i>	<i>3</i>	<i>3</i>	<i>—</i>
Subtotal, Direct Appropriations	\$(000)	1,869,052	2,200,956	+331,904
	<i>FTE</i>	<i>9,141</i>	<i>9,737</i>	<i>+596</i>
<u>Permanent Appropriations:</u>				
Miscellaneous Permanent Appropriations	\$(000)	79,235	80,372	+1,137
	<i>FTE</i>	<i>330</i>	<i>330</i>	<i>—</i>
White Earth Settlement Fund	\$(000)	2,000	2,000	—
Quarters Operation and Maintenance	\$(000)	6,000	6,000	—
	<i>FTE</i>	<i>70</i>	<i>70</i>	<i>—</i>
Indian Direct Loan Program Account	\$(000)	6,295	----	-6,295
Indian Loan Guaranty and Insurance Fund Liquidating Account	\$(000)	1,000	1,000	—
Subtotal, Permanent Appropriations	\$(000)	94,530	89,372	-5,158
	<i>FTE</i>	<i>400</i>	<i>400</i>	<i>—</i>
Total Budget Authority	\$(000)	1,963,582	2,290,328	+326,746
	<i>FTE</i>	<i>9,541</i>	<i>10,137</i>	<i>+596</i>

BUREAU OF INDIAN AFFAIRS

OVERVIEW OF FY 2001 BUDGET REQUEST

The FY 2001 budget request of the Bureau of Indian Affairs (Bureau) totals \$2,290,287,000, which consists of \$2,200,956,000 for current appropriations and \$89,331,000 in permanent appropriations. The FY 2001 request for direct appropriations is \$331,904,000 more than the FY 2000 Enacted level.

(Amounts in \$000s)

BUDGET AUTHORITY	FY 2000 ENACTED	FY 2001 PRESIDENT'S REQUEST	FY 2001 Request Changes from FY 2000	
			AMOUNT	PERCENT
Current	1,869,052	2,200,956	331,904	17.8%
Permanent	94,530	89,372	(5,158)	-5.5%
Total	1,963,582	2,290,328	326,746	16.6%
<i>Full-Time Equivalents</i>	<i>9,541</i>	<i>10,137</i>	<i>596</i>	<i>6.2%</i>

MISSION AND OBJECTIVES

The Bureau of Indian Affairs' mission is to fulfill its trust responsibilities and promote self-determination on behalf of Tribal Governments, American Indians and Alaska Natives.

The Bureau is the primary agency of the Federal Government charged with the responsibility to administer Federal Indian policy and to fulfill the Federal trust responsibility for American Indian Tribes, Alaska Native villages and Tribal organizations. Federal Indian policy and the trust responsibility are derived from the special legal and political relationship between the Tribes and the Federal Government.

This unique (legal and political) relationship is rooted in American history. Much of Federal Indian policy evolves around this "special" relationship which is often broadly expressed in terms of legal duties, moral obligations and expectancies that have arisen from the historical dealings between Tribes and the Federal Government. In the narrowest sense, the special relationship is described as a trust relationship between a trustee and the beneficiary. The evolution of the trust doctrine over time is primarily the result of U.S. Supreme Court decisions. The Court's literal references to a "guardian-ward" relationship in several cases has served as the conceptual basis for the existence of the trust relationship doctrine today. While the Supreme Court decisions fell short of defining all the

attributes of an enforceable trust responsibility, the U.S. Constitution itself suggests the Nation's implicit decision to place Indian affairs under Federal control. See, e.g., Article I, §2, cl. 3 which expressly delegates to "*the Congress . . . the power...to regulate commerce with foreign nations, and among the several states, and with Indian tribes.*"

As a source of Federal power, the Congress set the basic framework of Federal Indian policy in enacting the Trade and Intercourse Acts passed between 1790 and 1834. The central policy of the Acts was to subject all interaction between Indians and non-Indians to Federal control. The Acts prohibited non-Indians from acquiring Indian lands, except with the specific approval of the Congress. Trading with Indians was made subject to Federal regulation. The underlying objective of this early Federal policy was to protect Indians against incursions by non-Indians, since exploitation of Indians was one of the major causes of fighting and conflict between Indians and non-Indians on the western frontier. In fact, the Secretary of War was established in 1784 with its primary mission to "negotiate treaties with the Indians" and with the armed militia at the disposal of Indian commissioners. Over the next 50 years, laws regulating trade between non-Indians and Indians were added to the books and a network of Indian agents and subagents was established.

When trade restrictions proved ineffective in maintaining peaceful relations between Indians and their neighbors, Federal Indian policy evolved into systematic forced removal of Indian groups from choice eastern lands to the wilderness west of the Mississippi. The Indian Removal Act of 1830 institutionalized the forced removal of Indians. The most notable removal occurred among the Five Civilized Tribes who were taken from their homes in the southeastern states and marched along the infamous "Trail of Tears" to what is now Oklahoma.

By 1849, with the creation of the Department of the Interior (DOI), the Bureau passed from military to civil control, and its primary mission became "civilizing" the Indian people by training them for farming or trades. During this period, the wardship principle developed as those Indians who cooperated were protected and fed, while those who were intractable were "harassed and scourged without intermission". The General Allotment Act of 1887, the intent of which was to assimilate the Indian by giving him individual ownership, institutionalized the continuing efforts to civilize Indians. In the nearly 50 years of the allotment period, Indian land holdings were reduced from more than 136 million acres to less than 50 million acres in 1934 when the policy was completely abandoned.

In response to the Meriam Report, the Congress passed the Indian Reorganization Act of 1934. This brought a halt to the allotment policy and created a foundation for Tribal self-government. Although Tribes were urged to adopt American-style elected democratic governments, in practice the Bureau continued to direct and influence Tribal affairs to a degree greater than was consistent with notions of self-government.

To expedite assimilation, the Congress shortly thereafter passed several bills terminating the special Federal relationship of Indian Tribes with the United States. Twelve termination acts were passed by the Congress between 1954 and 1962, affecting about a dozen Tribes and several hundred small bands and groups in Oregon and California. The tragic results forced the Federal Government to abandon termination, to de-emphasize its custodial functions, and to focus greater efforts on the development of both human and natural resources on Indian reservations. In 1970, President Nixon called for self-determination of Indian people without the threat of termination of the trust relationship over Indian lands. Since that date, self-determination has been the basis of Federal-Indian policy.

Today, the Bureau provides services directly, or through Self-Determination contract, grant and compact agreements with Tribes, to more than 1.4 million American Indians and Alaska Natives in 31 states. The scope of Bureau programs is extensive and covers virtually the entire range of state and local government services:

- elementary, secondary and post-secondary education
- social services
- law enforcement
- judicial courts
- business loans
- land and heirship records
- Tribal government support
- forestry
- agriculture and range lands development
- water resources
- fish, wildlife and parks
- roads
- housing
- adult and juvenile detention facilities
- irrigation and power systems

More importantly, the Bureau's programs are funded and operated in a highly decentralized manner with more than 90 percent of all appropriations expended at the local level with an increasing amount operated by Tribes and Tribal organizations under contracts or self-governance compacts. In addition, the Bureau administers more than 43 million acres of Tribally-owned land, more than 11 million acres of individually owned land held in trust status and 443,000 acres of Federally-owned land.

The Bureau is charged with the primary responsibility for administering Federal programs for Federally recognized Tribes, and for carrying out the trust responsibility emanating from treaties, the U.S. Constitution, laws, court decisions and other agreements with American Indian Tribes and Alaska Natives. The Bureau has the primary requirement, at law, to serve an identified constituent group.

In the last two centuries, the Congress has passed more Federal laws dealing with Indian Tribes and Alaska Natives than any other group of people in the United States. While the Snyder Act, the Indian Self-Determination and Education Assistance Act of 1975 and the Indian Education Amendments of 1978 provide the primary budgetary authorities, numerous statutes, court decisions, treaties and other authorities (including those passed in the early 1800's regulating trade with Indians) continue to guide the Bureau's mission and administration. The diversity of these mandates frequently requires the Bureau to balance the inherent conflicts and problems created by more than 200 years of shifting and evolving Federal-Indian policy.

The Bureau's most basic responsibilities are its trust obligations and facilitating Tribal self-determination. However, while the protection of trust resources is a fundamental responsibility, Tribal communities struggling to meet the basic needs of their communities must compete for the same limited resources the Bureau uses to protect trust resources. The Bureau's success relies on judiciously balancing these competing mandates.

Organization

The Bureau has two service components reporting to the Assistant Secretary - Indian Affairs:

The *Deputy Commissioner for Indian Affairs* has line authority over 12 Regional Offices, 58 Agency offices, 1 subagency, 28 field stations, and three irrigation project offices. The Deputy Commissioner provides program direction and support through the Directors for the Offices of Tribal Services, Trust Responsibilities, Economic Development, Facilities Construction and Management, and Management and Administration.

The *Director of the Office of Indian Education Programs* supervises 26 education line officers stationed throughout the country and two post-secondary schools. During the 1998-99 school year, the Office of Indian Education Programs supported the operation of 115 day schools, 56 boarding schools, and 14 dormitories which house Indian children who attend public schools.

The Bureau's headquarters offices are located in Washington, D.C., and Albuquerque, New Mexico. As a highly decentralized organization, nearly 95 percent of Bureau's staff work is performed in schools, Regional and Agency offices, and other field locations.

In FY 1996, the Office of Trust Funds Management was transferred from the Bureau to the Office of Special Trustee pursuant to *P.L. 104-134* and Secretarial Order 3197.

At the end of FY 1999, the Bureau's total employment was 9,343 full-time equivalents.

The People We Serve

The Bureau's programs serve communities that face great challenges. According to the 1999 update to the 1990 census, the total American Indian, Eskimo and Aleut population grew to 2.4 million, almost five times the population reported in 1960. While most of this increase is due to an increase in self-identification, a large portion is the result of a natural population increase. Based on this rapid rate of growth, the Census Bureau estimates that the American Indian population will reach 4.4 million, representing just over 1 percent of the population, by the year 2050.

Geographically diverse, almost half of American Indians reside on approximately 300 reservations and other restricted and trust lands located throughout the United States. Reservations can vary in size from a few acres, such as the rancherias in California, to the 17.5 million-acre Navajo reservation. Approximately 63 percent of American Indians reside in urban areas - half of whom are concentrated in a relatively small number of cities. According to the 1990 census, more than one-half of the American Indian population lived in just six states: Oklahoma, California, Arizona, Alaska, Washington and New Mexico.

From 1970 to 1980, the American Indian population increased by 28 percent, and added 22 percent in the 1980s. The American Indian population is relatively young as reported by the 1990 census:

American Indians

U.S. Population

Under 5 Years	9.7%	7.3%
Under 18 Years	34.2%	25.6%

The census also reports that the median age of American Indians is over 27 years, compared to over 35 years for the population at large. This young population is in part the result of mortality rates that are higher for American Indians than for the U.S. population. Cardiovascular disease is the leading cause of mortality among American Indians. The second leading cause of mortality is homicide, suicide, accidents, and alcohol-related deaths primarily affecting Indians in their teens through mid-20's. It is estimated that alcohol-related deaths among American Indians are four times greater than the U.S. average.

By any socioeconomic measure, American Indians trail the general U.S. population. According to the 1990 census, an American Indian's family median income was \$21,619 annually compared to \$35,225 for the U.S. population. The per capita income in 1989 was \$8,284 for American Indians residing on all reservations and trust lands, compared with \$14,420 for the U.S. population.

More significant is the comparison of 1980 to 1990 census data, and socioeconomic trends which indicate that American Indians are slipping farther behind the U.S. population. In 1979, 28 percent of American Indians were living below the poverty level compared to 12 percent of the U.S. population. By 1989, 31 percent of American Indians were living in poverty compared to 13 percent of the U.S. population. Other socioeconomic indicators reveal the following:

	American Indians	U.S. Population
High School Graduates	65.5%	75.2%
4 or More Years of College	9.3%	20.3%
Single Parent Households	35.8%	21.4%
Unemployment	14.4% ¹	6.3%

According to research, two factors account for the decline in American Indians' overall income. While American Indian men's educational progress has improved with tangible results, it did not contribute to a relative gain in income, because non-Indian men also improved their skills and education. The U.S. economy contributed to this situation because the least skilled and least educated were rewarded less and found it harder to remain employed. Since American Indian men were disproportionately represented, the overall income of American Indian men fell. (American Indian women witnessed increased incomes; however, this was largely attributable to an increase in annual hours worked.)

In 1990 dollars, Federal spending for Indian programs peaked in 1979 at a total of \$4.4 billion. By 1989, Federal expenditures fell to \$2.5 billion. Indian Country has historically relied on Federal jobs and Tribal jobs resulting from contracting of Federal programs.

The Bureau's 1997 Indian Labor Force Report states that the nation's Indian service population or potential labor force was 1.4 million, which was an increase of 182,541 (14 percent) over the national total in 1995. Half of the workforce in Indian Country remained unemployed – 50 percent in 1997 as

¹This figure includes the roughly 1/3 of all Indians living on-reservations and the roughly 2/3 living off-reservation where economic conditions are generally more favorable.

compared to 49 percent in 1995. Of the approximately 379,000 adult Indians who were employed in 1997, 30 percent (114,000) were still living below poverty guidelines established by the Department of Health and Human Services. Tribally certified enrollment increased by 16 percent (226,163) members nationally – from 1.4 million in 1995 to 1.7 million in 1997.

In summary, American Indians are younger and have higher levels of poverty, unemployment, single parent families, fertility and mortality than the U.S. population at large. Tragically, trends are deteriorating for this highly vulnerable population.

Tribal self-determination relies on strong Tribal self-governance and self-sufficiency. However, numerous obstacles defined by popular public opinion and misconceptions of Indians present Tribal leaders, managers and their members with seemingly insurmountable challenges hindering the pursuit of strong and stable governing institutions, economic development and human capital development. Today, the Bureau plays a critical role in removing obstacles to building and promoting Tribal self-determination.

For example, the Bureau's implementation of the Self-Determination Act has allowed the Tribes to exert increased control over their own development goals and programs. It is undeniable that helping Tribes improve the quality of life for their members will require substantial investments in, and prudent management of, Tribal government infrastructure, community infrastructure, education, job training and employment opportunities and other components of long term, sustainable development.

FY 2001 BUDGET SUMMARY

“We will do our part. You have suffered from neglect, and you know that doesn't work. You have also suffered from the tyranny of patronizing, inadequately funded, government programs, and you know that doesn't work ... We're not coming from Washington to tell you exactly what to do and how to do it, we're coming from Washington to ask you what you want to do, and tell you we will give you the tools and the support to get done what you want to do for your children and their future.”

President Clinton, July 1999
Pine Ridge Indian Reservation, South Dakota

The budget reflects the Administration's commitment to American Indians and Alaska Natives by proposing a Government-wide initiative to address critical needs in Indian Country comprehensively and systematically. The budget proposes \$9.4 billion (\$1.2 billion or 14 percent over 2000) for Federal programs addressing basic Tribal needs, such as health care, education, economic development, and infrastructure development.

The 2001 budget request for the Bureau is \$2.2 billion in current appropriations, an increase of \$331.9 million above the 2000 Enacted level. The Bureau's request in FY 2001 is part of the Administration's Native American Initiative. The Initiative proposes a comprehensive program to

raise the standard of life for the First Americans in order to be on par with the rest of America. The goals of this initiative - to improve the living conditions and provide for the basic needs of Indians, to create new economic opportunities by empowering Indian communities, and to improve the potential for future generations to succeed through family-oriented programs – speaks to the promises that the President made during his visit to the Pine Ridge Reservation in July, 1999.

On the reservations, poverty is still commonplace, unemployment and violence are double the national average, and infant mortality, alcoholism, and substance abuse are far in excess of the rest of America. These long-neglected communities have the greatest need for resources and the greatest potential to change the status quo.

The budget stresses the resources Tribes need to provide basic reservation programs and develop strong and stable governments, ensure accreditation of Bureau schools, address critical infrastructure needs, and meet the Secretary's trust responsibilities. The Bureau continues to keep administrative costs low; almost 9 of every 10 dollars appropriated to the Bureau is provided directly to programs on Indian reservations. The request allows the Bureau to attain its goals which are designed to meet the commitment to American Indians and Alaska Natives as outlined in its Strategic Plan and Annual Performance Plan.

The FY 2001 budget request for the Bureau seeks to maintain core existing programs on behalf of our trust responsibilities and commitments to facilitate self determination for American Indians and Alaska Natives. While the Bureau has evolved in its role as trustee for the American Indian and Alaska Natives from the paternalism of the 1800s to its role today as partner, Tribes continue to turn to the Bureau for a broad spectrum of critical and complex programs administered either by the Tribes or the Bureau - from an education system for more than 50,000 elementary and secondary students; to 25 Tribally Controlled Community Colleges; to law enforcement and detention services on more than 200 reservations; to social services programs for children, families, the elderly and the disabled; to management of the forest, mineral, fishery and farmland resources on trust land; to the maintenance of more than 25,000 miles of roads on rural and isolated reservations; to economic development programs in some of the more depressed areas in the nation; to the implementation of legislated land and water claim settlements; to the replacement and repair of schools; and to the repair of structural deficiencies on high hazard dams. The joint Trust and Federal responsibilities are daunting as the Bureau strives to uphold the President's commitment to the American Indian and Alaska Native; Indian Country needs in every program are massive.

Thus, it should be recognized that while the protection of trust resources is a fundamental responsibility, Tribes struggling to meet the basic needs of their communities must compete for the same limited resources the Bureau uses to protect those trust resources. The Bureau must carefully balance these competing mandates within budgetary constraints imposed upon it. To say it is a challenge is an understatement.

Fulfilling the President's Executive Order 13084, the Bureau continues to meet and consult with Tribal Leaders on a Government-to-Government basis to address issues concerning Indian Self-Determination, trust resources, and other vital programs serving the Indian communities.

No other bureau in the Department has the complexity and multitude of programs under one umbrella (i.e., land management to law enforcement to education) that the Bureau has in serving the needs of

such a diverse consumer. Further, a study of budget trends by the Congressional Research Service (February, 1998) concluded that Federal spending on Indian programs has declined in constant dollars since 1975. This trend increased the level of challenge to the Bureau to focus on core programs while still addressing the needs in Indian Country and upholding its Trust and Federal responsibilities.

Restoring the American Community

On April 29, 1994, in a historic meeting with Indian leaders, President Clinton gave his pledge to fulfill the trust obligations of the Federal Government. Among President Clinton's goals for Indian Country on that momentous occasion were to help position Tribes to compete economically in the 21st century and to invest in Indian education. The Administration's record of partnership with the Tribes extend from strengthening the relationship between the Governments to increasing educational opportunities to promoting self-determination to protecting Tribal natural resources.

As stated, the Bureau's budget for FY 2001 reflects its commitment to helping the President maintain the Administration's record of partnership. Increases requested at the various levels by the Bureau are focused on programs which have direct impact on Native Americans and Indian Self-Determination, including contract support, law enforcement, education, and trust programs. This directly supports and upholds the President's commitment to Tribal Leaders at a 1998 White House Conference on Economic Self-Determination in Indian Communities to honor Tribal sovereignty and to strengthen the Government-to-Government relationship. The increases requested are to strengthen the partnership which exists between the Tribes and the Bureau as we enter the next millennium.

The request does not include funds for the partial settlement agreement (approximately \$80 million) in the *Ramah Navajo Chapter v. Lujan* decision. [The partial settlement agreement covers the "non-capped" years of 1989 through 1993, and represents shortfalls of contract support costs created by the indirect cost rate formula in which non-Bureau organizations had been included in the funding base. Many of these non-Bureau organizations did not provide funds for Tribal contract support needs.] The partial settlement has been paid by the Judgment Fund pursuant to the Contract Disputes Act, but the Act also requires the agency whose appropriations were used for the contracts to reimburse the Fund. There are many decisions which need to be made prior to seeking additional funds for repayment, such as which Federal agencies should be required to reimburse, if any. Such decisions will have a direct impact on Bureau appropriations and its funding of essential programs, such as Tribal Priority Allocations (TPA).

There are few proposed changes in the budget presentation of this request. One, the Bureau has reinstated the Consolidated Tribal Government Program (CTGP) line item. to respond to Congressional attention on clearly identifying the purpose and funding level for funds provided under TPA. Two, to clearly illustrate the level of funding provided for Probate activities, a major component of the Trust Funds Improvement Project and overall trust improvement efforts, the Bureau has identified and internally transferred base funding from the TPA Real Estate Services line item to the new TPA Probate line item. Three, to improve coordination and oversight, funds requested in FY 2001 for the Bureau's School Statistics Initiative (SSI) are included under the Special Programs and Pooled Overhead budget category in the Intra-Governmental Payments line item. Base funds for SSI remain in Other Recurring Programs, School Statistics ADP. Fourth, to illustrate the importance of Education facilities maintenance needs, the Education Facilities Maintenance program has been moved from the budget activity, Other Recurring Programs, to the budget activity, Construction, Education,

Facilities Improvement and Repair. With needs reaching \$60 million alone for education maintenance needs, it is important that the program be a major component in the Bureau's overall construction program. This change was effected in FY 2000 pursuant to the Secretarial Order.

OPERATION OF INDIAN PROGRAMS

For FY 2001, the total request for Operation of Indian Programs is nearly \$1.8 million, an increase of \$155.5 million over the FY 2000 Enacted level.

Tribal Priority Allocations (TPA)

TPA provides the principal source of funds for local units of Tribal Government, most of which are small and lack independent resources to meet the increasing costs of Tribal government operations. Because of Congressional funding levels in 1996 and 1997, Tribal governments are falling increasingly behind in their ability to maintain services to Indian communities and families. Tribes depend on TPA funds for basic necessities and services such as child welfare, scholarships, Tribal courts, natural resource management, and other programs critical to improving the quality of life and the economic potential of the reservations. The Congress has given the Tribes the flexibility to prioritize the limited funds among TPA programs according to their unique needs and circumstances. TPA supports the goals of Indian self-determination by providing Tribes with the choice of programs provided as well as the means of delivery, either by the Tribe or the Bureau.

Beginning with FY 1998, TPA comprises nearly half of the Bureau's operating budget. For FY 2001, the TPA activity is funded at \$761.2 million, an increase of \$60.5 million over the FY 2000 Enacted level, which will help Tribes address some of the unmet needs in these basic programs.

This budget submission includes \$5 million for the Indian Self Determination Fund to replenish funds for new and expanded programs contracted under the authority of *Public Law 93-638*, as amended. The moratorium imposed by the Congress for FY 1999 on any new or expanded contracts, compacts or grants under the 638 authority stalled the ability of the Bureau to fulfill its mission of promoting self-determination on behalf of Tribes. Increased Tribal contracting/compacting activity in FY 2000 (due to the lifting of the moratorium) is expected to continue throughout FY 2001.

An increase of \$3.5 million is requested for Contract Support over the 2000 Enacted level for on-going self-determination agreements. It is estimated that 88 percent of need will be met in FY 2001 at this level of funding. The Bureau covered 88 percent of need in FY 1999 and expects to cover 90 percent of need in FY 2000.

An increase of \$1.5 million is requested for Tribal Courts, a necessary component to ensuring the success of the *Presidential Initiative on Law Enforcement in Indian Country*. In FY 2000, the Congress provided a \$20.0 million increase to address the woefully inadequate law enforcement resources in Indian Country. With this second year investment in the multi-year *Initiative*, it continues to open the door to halting the escalating crime rates in Indian Country. While Bureau and Tribal law enforcement personnel take the criminals off the street, it is also important to handle the increased demand for judicial services to keep the criminals off the street. Funding for Tribal Courts goes hand in hand with ensuring that Indian Country law enforcement efforts are strengthened by adequate court systems. Funds will also be used to implement provisions of *Public Law 103-176*, the Indian Tribal Justice Act.

An increase of \$1.0 million is requested for Adult Care Facility Rehabilitation to bring four Bureau-funded adult long-term care facilities on the Navajo Reservation to standard condition. Once the standard is attained, the facilities are eligible for funding of their operation and maintenance costs from the State Medicare, Medicaid, and other programs. The initial investment of \$1 million will result in a potential savings to the Bureau which can be utilized for other high priority needs. An increase of \$16.1 million is requested for the Housing Improvement Program (HIP) to serve low-income eligible Indian families or individuals. The Bureau has revised the HIP methodology to concentrate on serving those most in need, regardless of the category of HIP services they may require. This will allow the Bureau to serve an estimated 437 additional families for a total of about 985 families served.

An increase of \$2.2 million is requested for Scholarships to increase Tribes' ability to provide assistance to their Indian youth seeking to improve their futures through increased education. Along these lines, the Bureau is requesting an increase of \$5.1 million for the Road Maintenance program. Part of the challenges to obtaining an education in Indian Country is the basic ability for students to be able to get to school as many reservation roads are a monumental challenge due to rough surfaces and at times impassable roads caused by insufficient funding. The Road Maintenance program is the only Bureau program which preserves the Bureau's system of roads and bridges that provide access to reservation lands, not only to schools, but to jobs and health care facilities. While the Department of Transportation's Highway Trust Fund provides funds for road construction, it does not provide funds for road maintenance.

To support the Trust Fund Improvement Project, the Bureau's TPA request includes a total of \$13.8 million in Trust Services funding for FY 2001 as follows: Trust Services, General (\$1.6 million); Real Estate Services (\$7.0 million); Real Estate Appraisals (\$2.2 million); and, Probate (\$3.0 million).

In FY 2001, the Bureau will continue to operate as a highly streamlined and decentralized agency with maximum resources going to Tribal programs. The Bureau anticipates that more than half of the FY 2001 operating budget will be spent directly by Tribes that elect to operate various Bureau programs under self-determination contracts, grants, or self-governance compacts.

Since the founding of the Nation, the Congress has funded specific Indian education programs in response to treaty requirements and Federal statutes. Current Indian Education programs are governed by a number of laws including the Snyder Act, the Johnson O'Malley Act, the Elementary and Secondary Education Act, the Tribally Controlled Community Colleges Act, the Tribally Controlled Schools Act, the Education Amendments of 1978, Goals 2000 and the Improving America Schools Act. Collectively, these laws are aimed at ensuring quality education for Indian youth and improving the long-term employment and economic opportunity on reservations.

Other Recurring Programs

The prominent theme for the new millennium described by the President is the education of our children. The Bureau is responsible for the only major domestic elementary and secondary education system operated by the Federal Government. As such, it is incumbent that this system reflects the high standards President Clinton has set for all education. In support of this Presidential priority, the Bureau's FY 2001 budget request includes a significant investment in Indian education. The request for School Operations, which will fund 185 schools and dormitories serving more than 50,000

elementary and secondary students in 23 States, is \$506.6 million, an increase of \$39.7 million over the FY 2000 Enacted level. The increase will ensure that schools can deliver quality education and provide safe and adequate transportation for an estimated increase in enrollment. Included in the increase is \$6.8 million to expand the number of sites for the Early Childhood Development FACE program and \$8.2 million for implementation of the Therapeutic Residential Model pilot program at selected Bureau dormitories. Increases are also proposed in facilities operations and administrative cost grants to encourage the continuation of schools going into grant status and under Tribal control.

The budget increases operating grants to the 25 Tribally controlled community colleges by \$2.9 million over FY 2000. The colleges have been successful in providing Indian youth with college degrees and futures of professional employment. They also promote entrepreneurship on reservations.

An increase of \$500,000 is also requested for Alaska Subsistence activities to meet the Secretary's responsibilities in implementing a recent court-ordered Federal subsistence fishery program in the State of Alaska. This is a multi-agency, cross-cutting activity to establish fishing seasons and regulations covering approximately 102,000 miles of rivers and streams and about half of Alaska's inland waters.

Non-Recurring Programs

To meet the Bureau's long-term goal of improving the quality of life in Tribal communities, \$2.0 million is requested to establish Technical Assistance Grants to provide technical assistance to Tribes and individual Indians to establish, acquire or expand for-profit businesses on or near reservations. Investment today in helping Tribal communities to become more resourceful will facilitate and strengthen Tribal self determination. Additionally, an increase of \$5.3 million is requested for Real Estate Services to strengthen the Bureau's trust management functions.

Central Office Operations

An increase of \$500,000 is requested for the Trust Services line item to strengthen the Bureau's trust management programs at the Headquarters level. To continue implementation of the recommendations of the National Academy of Public Administration (NAPA), an increase of \$4.0 million is requested in FY 2001 to continue implementation of the recommendations at the Central Office level and to begin to provide resources to Field sites.

Regional Office Operations

An increase of \$13.7 million is proposed for trust management improvement efforts at the Regional level: Trust Services, General (\$1,900,000); Real Estate Services (\$5,000,000); Land Titles and Records Offices (\$4,800,000); and Land Records Improvement (\$2,000,000).

Special Programs and Pooled Overhead

To continue the momentum forward for the *Presidential Initiative to Improve Law Enforcement in Indian Country*, a program increase of \$16.0 million is requested for the third year of this multi-year initiative. The rate of violent crime victimization of American Indians is higher than that of other U.S. racial or ethnic subgroups and more than twice the national average. Continued infusion of monies is necessary to improve the quality of life on Indian reservations. A program increase of \$115,000 is requested for the Indian Police Academy to expand its training courses to respond to the influx of new trainees hired under the *Initiative*. To offset the Congressionally-mandated earmark of funds for

enforcement activities, an increase of \$100,000 is requested for the Indian Arts and Crafts Board. To strengthen the efforts of the Crownpoint Institute of Technology, an increase of \$1.3 million is requested in FY 2001. To improve the reporting capabilities and improve overall educational abilities, the Bureau is requesting an increase of \$3.0 million for the School Statistics Initiative. An additional \$500,000 is requested for the American Indian component of the Early Childhood Longitudinal Study, a partnership effort with the Department of Education. To respond to priority needs of Tribes on a nationwide basis, the Bureau is proposing to eliminate funding for the National Ironworkers Training Program.

CONSTRUCTION

The Bureau's request for the Construction appropriation is \$365.9 million, of which \$300.5 million, or 82 percent, is dedicated to education construction. This is the largest request for education construction, with an additional \$167.3 million, or 126 percent, over the FY 2000 enacted level. The Bureau will continue the emphasis on Tribal contracting for projects, providing support from the Bureau's Office of Facilities Management and Construction until the Tribes and Agencies are fully trained to take over the construction contracting challenge.

The Replacement School Construction program funds replacement of older, unsafe, and dilapidated schools on reservations. More than 50,000 Indian student attend 185 Bureau-owned or -funded schools in eligible Indian communities. School replacement priorities are based on a new priority list of 13 schools, which is comprised of the last 3 uncompleted schools from the old priority list published in 1993 and 10 new schools. In 2001, a total of \$126.149 million is requested for Advanced Planning and Design (\$5,000,000) and to complete construction of the first 6 schools on the new priority list:

Tuba City Boarding School, Arizona
Second Mesa Day School, Arizona
Zia Day School, New Mexico
Baca Community School, New Mexico
Lummi Tribal School, Washington
Wingate Elementary School, New Mexico

These six schools have structural and code deficiencies that threaten student safety and are not equipped with modern educational tools. Up to \$30 million of the replacement school construction funding may be used for Tribal participation in the President's FY 2001 School Construction Modernization Initiative. These funds may be used by Tribes or Tribal consortia to ensure the repayment of principal on school modernization or other taxable bonds. Tribes that issue bonds to lenders could claim a tax credit for the life of the bond in lieu of interest. Any of the six schools slated for replacement in 2001 could exercise this option.

The education facilities improvement and repair program is funded at \$174.3 million, an increase of \$104.0 million over 2000 enacted, to address critical health and safety concerns at existing education-related facilities. This request will fund maintenance and major and minor repair projects to reduce the significant backlog of needed repairs.

For the second year, the budget requests no new funding for Public Safety and Justice construction within the Bureau request. New detention centers on reservations will receive funds from the Department of Justice's appropriation as part of the *President's Initiative on Law Enforcement in Indian Country*.

***INDIAN LAND AND WATER CLAIM SETTLEMENTS AND
MISCELLANEOUS PAYMENTS TO INDIANS***

This program provides payments to meet Federal requirements for legislated settlements. The FY 2001 budget request includes \$34.026 million for payments for settlements resolving long standing Tribal claims to water and lands. Of this amount, \$8 million is proposed for the Rocky Boy's Indian Water Rights Settlement for compact administration, economic development, and future water supply activities. The majority of the remaining funds are proposed for the Ute Indian Water Rights Settlement, \$24.9 million, to maintain the payment schedule as required by law.

SPECIAL INITIATIVES

LAW ENFORCEMENT IN INDIAN COUNTRY

LAW ENFORCEMENT INITIATIVE

FY 2001 represents the third year of the multi-year *Presidential Initiative on Law Enforcement in Indian Country*, a joint effort by the Bureau and the Department of Justice (DOJ), to combat the rising crime rates in Indian Country to fulfil the Presidential directive to the Secretary of the Interior and the United States Attorney General to work with Tribal Leaders to improve public safety in Indian Country.

Pursuant to the *Final Report of the Executive Committee for Indian Country Law Enforcement Improvements*, significant investment by the Government is necessary to stem the increasing problem of crime in Indian Country. In simple terms, current resources are still inadequate; continued infusion of manpower and financial resources are necessary to ensure that Indian communities receive the same quality and quantity of law enforcement services as their non-Indian counterparts.

A total program increase of \$189 million, \$81 million over 2000, is requested by the BIA and DOJ for law enforcement improvements. To maintain the efforts to clean up crime in Indian Country, additional resources are needed to adequately respond to the concerns as outlined in the *Final Report*. The Bureau's requested program increase of \$16.0 million continues to build on this foundation while complementing the efforts of the DOJ to maximize the use of the Federal dollar.

TRIBAL COURTS

Going hand in hand with increasing the resources for law enforcement in Indian Country is the ability of Tribal Governments to handle the accompanying increase in caseloads; the FY 2001 program increase requested is \$1.3 million. More than 250 Tribal justice systems and courts of Indian offenses (serving 40 Tribes) are supported by Bureau funds. These Tribal courts must face the same issues State and Federal courts confront every day, such as child sexual abuse, alcohol and substance abuse, gang violence, and violence against women. Tribal court systems have historically been under funded and understaffed. With the *Presidential Initiative on Law Enforcement in Indian Country* well into its second year and on the cusp of its third year to improve law enforcement services in Indian Country, it is essential that additional support be provided to Tribal courts. Courts are beginning to experience increases in caseloads concurrent with the effort to clean up crime. Tribal courts must have the capacity to adjudicate the resulting criminal cases and resolve disputes. This effort complements the Department of Justice's efforts to provide one-time (competitive) grant support to Tribes.

In addition, *Public Law 103-176*, the Indian Tribal Justice Act, recognizes the situation in Indian Country to improve its judicial function to assist in keeping law and order for its constituency. The Bureau's requested increase will also focus on providing funds to Tribes for implementation of the Act.

EDUCATION

REPLACEMENT SCHOOL CONSTRUCTION

Eight-two percent of the Bureau's building square footage is education space; the majority of the buildings are old and often in poor condition. With the Bureau responsible for the only major domestic elementary and secondary education system operated by the Federal Government, it is vital that we provide adequate facilities for this Nation's Indian school children to obtain an education. Research has demonstrated that placing instructional and residential programs in facilities that do not meet health and safety codes distract from the educational program. A point made by the President in Executive Order 13096, which calls for creating educational opportunities for American Indian and Alaska Native students in our nation.

Under the Order, the President called on us to give special attention to five goals: (1) improving student achievement in reading and mathematics; (2) increasing high school completion and post-secondary attendance rates; (3) reducing the influence of long-standing factors that impede educational performance; (4) creating strong, safe, and drug-free school environments conducive to learning; and, (5) expanding the use of science and educational technology. All goals relate directly to the research denoted previously that the environment – the surroundings – play a key role in which the level of learning this Nation's children can achieve is dependent on adequate school facilities. Health and safety threats such as leaking roofs, peeling paint on the walls, overcrowded classrooms, and inadequate heating and/or air systems hinder the ability of children – our Nation's future leaders – to focus on their educational studies. It is widely recognized that children's attention spans are limited; therefore, we must provide the necessary resources we can to alleviate these threats from their classrooms.

The request for Replacement School Construction is \$300.5 million, or 82 percent of the Bureau's total FY 2001 Construction request (\$365.9 million). This is the largest increase requested for education construction with a proposed \$167.3 million over 2000 enacted, an increase of 126 percent. Record enrollments in our schools compound the existing problem of aging schools buildings. Short-term solutions such as portable classrooms will not be sufficient to respond to the growing population of school age children; studies have illustrated that the record enrollment seen nationwide follows a period of steady growth in students. It is expected that the growing trend will continue and short-term solutions will no longer be a viable option.

The Bureau's request is an intricate part of the President's education agenda which seeks to reduce class size and help communities renovate and build new schools. The request is also part of the Department's Safe Visits to Public Lands, which includes the Five Year Maintenance and Capital Improvement Plan.

As a participant in the Plan, the Bureau is moving forward to eliminate its backlog of code and standard deficiencies. Projects included in the Plan outline the comprehensive strategy of the Department to address the most critical needs in the Bureau's backlog of construction and maintenance requirements. It is the most in-depth analysis and display of the enormity of the dire situation facing the Bureau in trying to maintain its facilities for the consumers we serve. It is a comprehensive list, causing the Bureau to reassess and validate its many facilities located throughout the Nation to fully capture the challenge we face in maintaining our responsibilities for Bureau-owned facilities and providing for safe and health environments for our constituency. The requested funding level of \$300.5 million for replacement school construction, a key factor in the success of the President's

revitalization of Indian education, will greatly assist in reducing the mounting backlog of construction needs.

SCHOOL BOND INITIATIVE

Included within the increase for Replacement School Construction, the Bureau proposes that up to \$30 million of the replacement school construction funding may be used for Tribal participation in the President's FY 2001 School Construction Modernization Initiative. These funds may be used by Tribes or Tribal consortia to ensure the repayment of principal on school modernization or other taxable bonds. Tribes that issue bonds to lenders could claim a tax credit for the life of the bond in lieu of interest. Any of the six schools slated for replacement in 2001 could exercise this option. The funding would be invested and then used to pay back the principal on the school construction bonds. This proposal is part of the Administration's school modernization initiative to provide school repairs and replacement in needy public school districts throughout the country. Funding for additional school construction or repairs is proposed as part of the second year of the Administration's facilities restoration initiative. These funds emphasize the Administration's commitment to the long-term stewardship of Federal lands and facilities.

SCHOOL OPERATIONS

As conveyed through Executive Orders 13096 and 13104 issued by the President, education is a key focus and high priority of the Administration. The President reiterated this priority by calling upon our nation to prepare Americans for a lifetime of learning:

"It is time to show our children and the world that America truly values education. Let us make every school across America a shining, modern temple of learning – a place where a computer is as common in the classroom as a chalkboard, where classes are small enough for teachers to teach and children to learn, where students are inspired to look to the future with hope and confidence. Our children deserve nothing less."

President Bill Clinton
September, 1998

As the only nationwide school system operated by the Federal Government which provides basic educational programs to the American Indian population, we echo the President's statement that "Our children deserve nothing less". To this end, the Bureau has requested an increase of \$39.7 million for its Education programs that will benefit the increasing American Indian student population from their residences to the classroom instruction to the classroom itself. The requested increase is vital to the Bureau if we are to ensure that every child obtains a solid foundation of education.

The request for School Operations, which will fund 185 schools and dormitories serving over 50,000 elementary and secondary Indian students in 23 states is \$506.6 million, an increase of \$39.7 million over the 2000 enacted, a 9 percent increase. The increase will ensure that schools maintain accreditation and have access to computers and other critical learning tools. This ISEP increase will provide funding of \$3,685 per weighted student unit (WSU). Additionally, the 2001 increase will provide a total increase of \$14.9 million for Early Childhood Development for the following programs: \$6.8 million to establish early education Family and Child Education programs at an additional 22 sites; and, \$8.2 million to institute a pilot Therapeutic Residential Model (TRM) program at 6 Bureau boarding schools. The TRM program was authorized in 1994 under *P.L. 103-*

382, Improving America's Schools Act, to provide services necessary to achieve positive changes in attitudes, behavior and academic performance of Indian youth attending boarding schools. The request will also support development of the School Statistics Initiative with a \$3 million increase and provide \$500,000 for collaborative efforts with the Department of Education.

SECRETARY'S TRUST MANAGEMENT IMPROVEMENT PROJECT

The Bureau proposes in its budget request a total program increase of \$35.1 million for Trust Management Improvement efforts. Efforts underway are a continuation of the joint effort between the Bureau and the Office of the Special Trustee (OST) on implementation of the Secretary's *High Level Implementation Plan* (HLIP) for the Trust Management Improvement Project (TMIP). In FY 2000, Bureau funds totalling \$1.4 million in Land Records Improvement (then-titled Area Office Operations) funds and \$3.6 million in Real Estate Services/Probate Backlog Reduction (Non-Recurring Programs) funds were transferred to the OST and are included within its budget.

In FY 2001, the Bureau will continue to work with the OST and the Department to improve the administration and management of its trust responsibilities. Funding for the Bureau's HLIP subprojects is requested under OST. The HLIP is centered on 11 major subprojects that will update trust systems, policies, practices, and procedures and make one-time investments to reduce backlogs. As part of the overall effort to remedy the fundamental cause to Indian trust management, an increase of \$7.5 million is requested under OST to expand the Indian Land Consolidation program. The original \$5.0 million for the program was funded in the Bureau's budget in FY 1999 but has since been funded under the OST.

To ensure that trust management reforms are sustained, the Bureau's budget includes basic funding increases of \$35.1 million (includes uncontrollable costs) for several trust programs. These additional resources are critical to ensuring that accumulated trust management problems being corrected under HLIP do not reoccur. The Bureau's budget requests a \$12 million increase for on-going real estate services to improve real property management services and ensure timely processing of transactions (sales, acquisitions, patents in fee, rights of way, surface and subsurface leases). To assist in protecting trust resources, an increase of \$5.3 million is proposed to perform cadastral surveys. Additional increases include: \$2.2 million increase for real estate appraisals to ensure compliance with appraisal standards and timely completion of appraisals; a \$3.0 million increase for Probate to provide sufficient staff for probate functions; and, an increase of \$4.8 million for the Land Titles and Records Office to ensure land records are kept current. For trust services, a \$4.0 million program increase is requested to provide technical support to Tribes and ensure compliance with complex environmental and cultural resource requirements. Lastly, an increase of \$2.0 million is requested to expedite the processing of Alaska allotments. These increases are necessary for BIA to meet its long-term trust goals.

Following is a summary of the requested increases in FY 2001 for trust improvement efforts:

Program		FY 2001 Program Increase
Tribal Priority Allocations	Trust Services, General	1,600
	Real Estate Services	7,000
	Real Estate Appraisals	2,189
	Probate	3,000
Non-Recurring Programs	Real Estate Services	5,300
Central Office Programs	Trust Services	500
Regional Office Programs	Trust Services, General	1,900
	Real Estate Services	5,000
	Land Titles and Records Office	4,800
	Land Records Improvement	2,000
TOTAL		33,289

GOVERNMENT PERFORMANCE AND RESULTS ACT

As mandated by the Government Performance and Results Act (GPRA) of 1993, the Bureau has submitted its third Annual Performance Plan which outlines the Bureau's goals and measures consistent with the core of the Revised Strategic Plan for FY 2000 to FY 2005. Several adjustments were made to the GPRA Program Activities and Long-Term Goals through the revision. While the changes are reflected within the Annual Plan, specific modifications and the rationale for the changes will be outlined within the revised Strategic Plan, targeted for release in March, 2000. The Bureau solicited Tribal and Field input in the revision of the Strategic and Annual Plans to help ensure a strong working plan that reflects the objectives of not only management, but employees and customers.

As stated, the Bureau's third annual performance plan continues to support its strategic goals and will serve as a benchmark in the overall success of the Bureau to achieve goals set forth in the Strategic Plan. Funding increases requested throughout the Bureau's submission are vital to achieving the goals during its third year of performance.

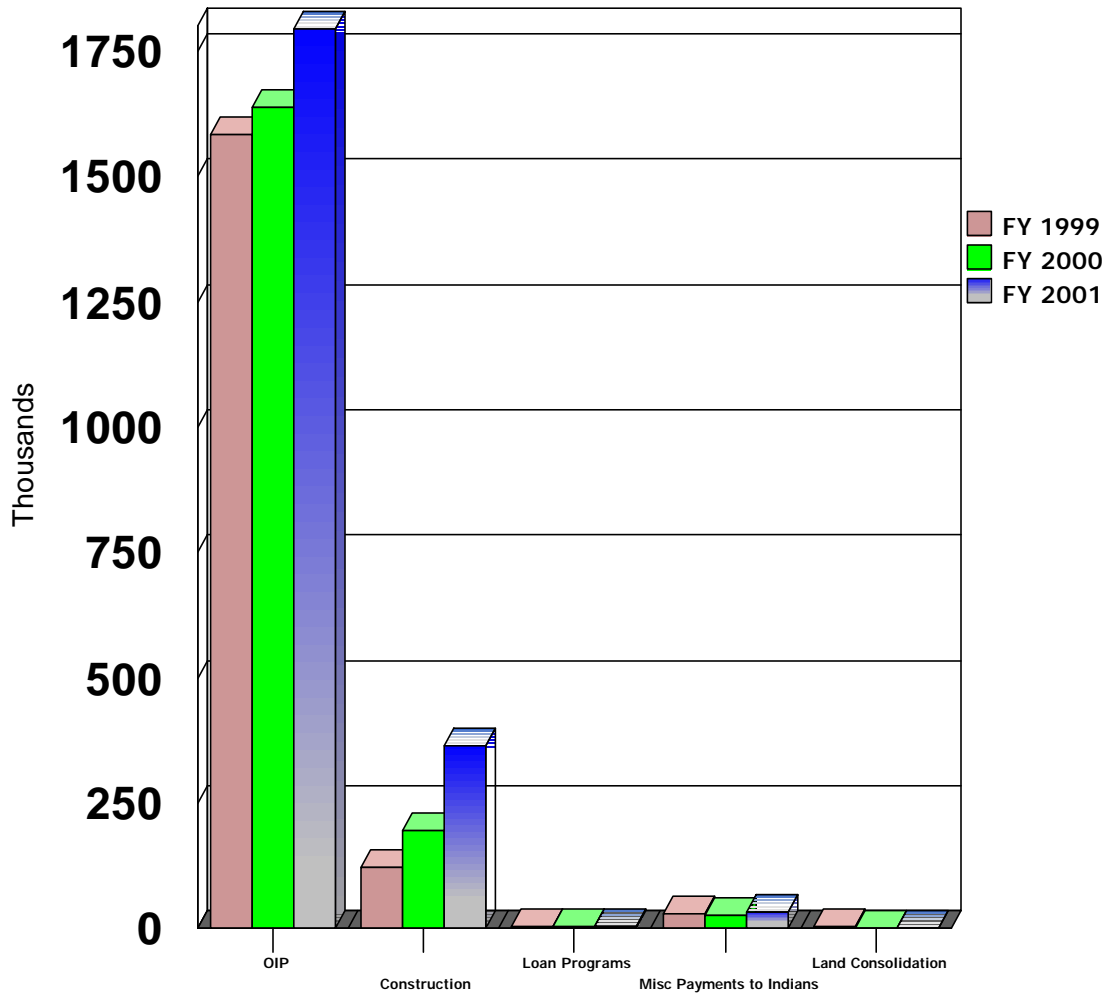
The Bureau achieved 30 of its 45 goals for FY 1999. Highlights include the achievement that Contract Support and Community Development programs are exceeding their goals. The goals not achieved in FY 1999 were partially due to proposed funding increases not being appropriated for the Bureau. Program evaluation methods are being refined to better review the services provided by the Bureau. Programs that have not fully attained their target goal levels are being evaluated to determine more efficient program methods and procedures to allow for the best use of resources. Additionally, the Bureau is striving to improve verification and validation procedures to provide accurate and substantial data in support of performance management.

NATIONAL ACADEMY OF PUBLIC ADMINISTRATION REPORT

In 1999, the National Academy of Public Administration (NAPA) conducted an independent study of the Bureau's organization and management structure. The study analyzed the delivery of the Bureau's management and administration services and developed recommendations for reform efforts. NAPA identified a critical need to add capacity in budget, management, and human resource policy to the Office of the Assistant Secretary - Indian Affairs. Beginning in FY 2000, organization reforms are being implemented, including the transfer, consolidation, and reorganization of functions at the Headquarters level. Funds totalling \$5 million were appropriated in FY 2000 to begin these efforts. Additional funds of \$4 million are requested in FY 2001 to continue the reorganization efforts and to begin staffing critical administrative functions at the Field level. The Bureau is developing a long term plan, indicating program and staffing changes as well as project costs.

Bureau of Indian Affairs

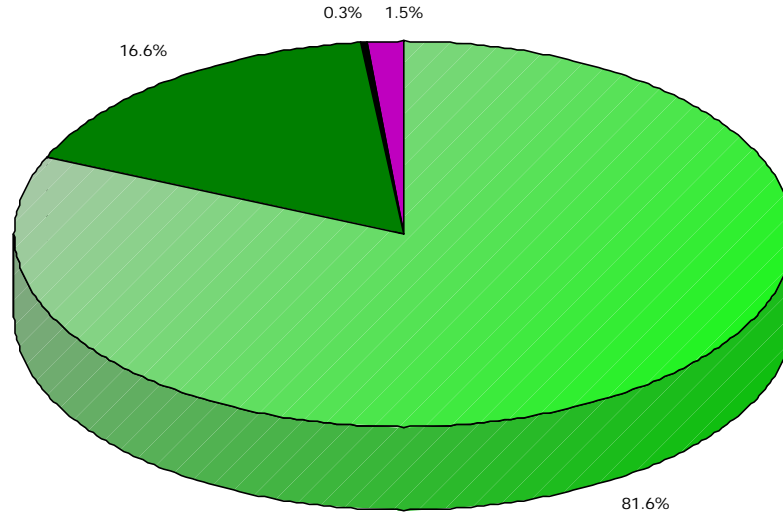
FY 2001 Request Compared to FY 1999 Enacted and FY 2000 Enacted
(Dollars in Thousands)



CATEGORY	FY 1999 Enacted	FY 2000 Enacted	FY 2001 Request
Operation of Indian Programs	1,584,124	1,639,535	1,795,010
Construction	123,421	197,404	365,912
Loan Programs	5,001	4,985	6,008
Misc Payments to Indians	28,882	27,128	34,026
Indian Land Consolidation	5,000	0	0
TOTAL	1,746,428	1,869,052	2,200,956

Distribution of FY 2001 Budget Request

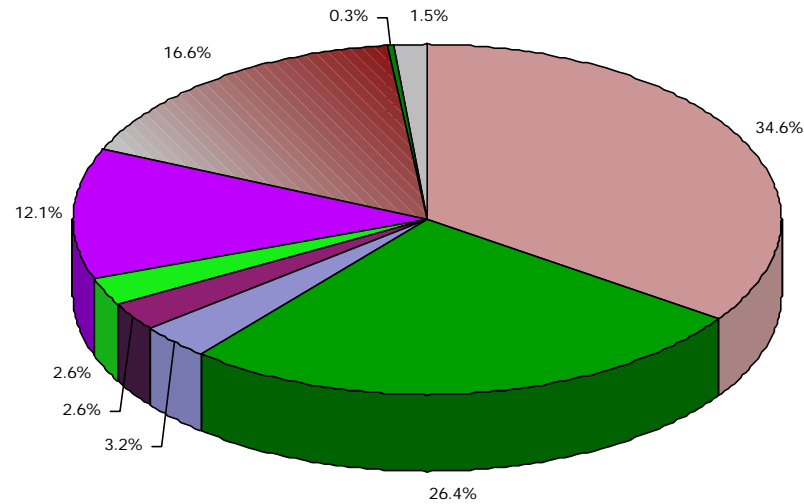
[Direct Appropriations]
(Dollars in Thousands)



Category	FY 2000 Enacted	FY 2001 Request	% of 2001 Total	Change
Operation of Indian Programs	1,639,535	1,795,010	81.6%	155,475
Construction	197,404	365,912	16.6%	168,508
Loan Programs	4,985	6,008	0.3%	1,023
Land & Water Claims Settlements and Miscellaneous Payments to Indians	27,128	34,026	1.5%	6,898
TOTAL	1,869,052	2,200,956	100.0%	331,904

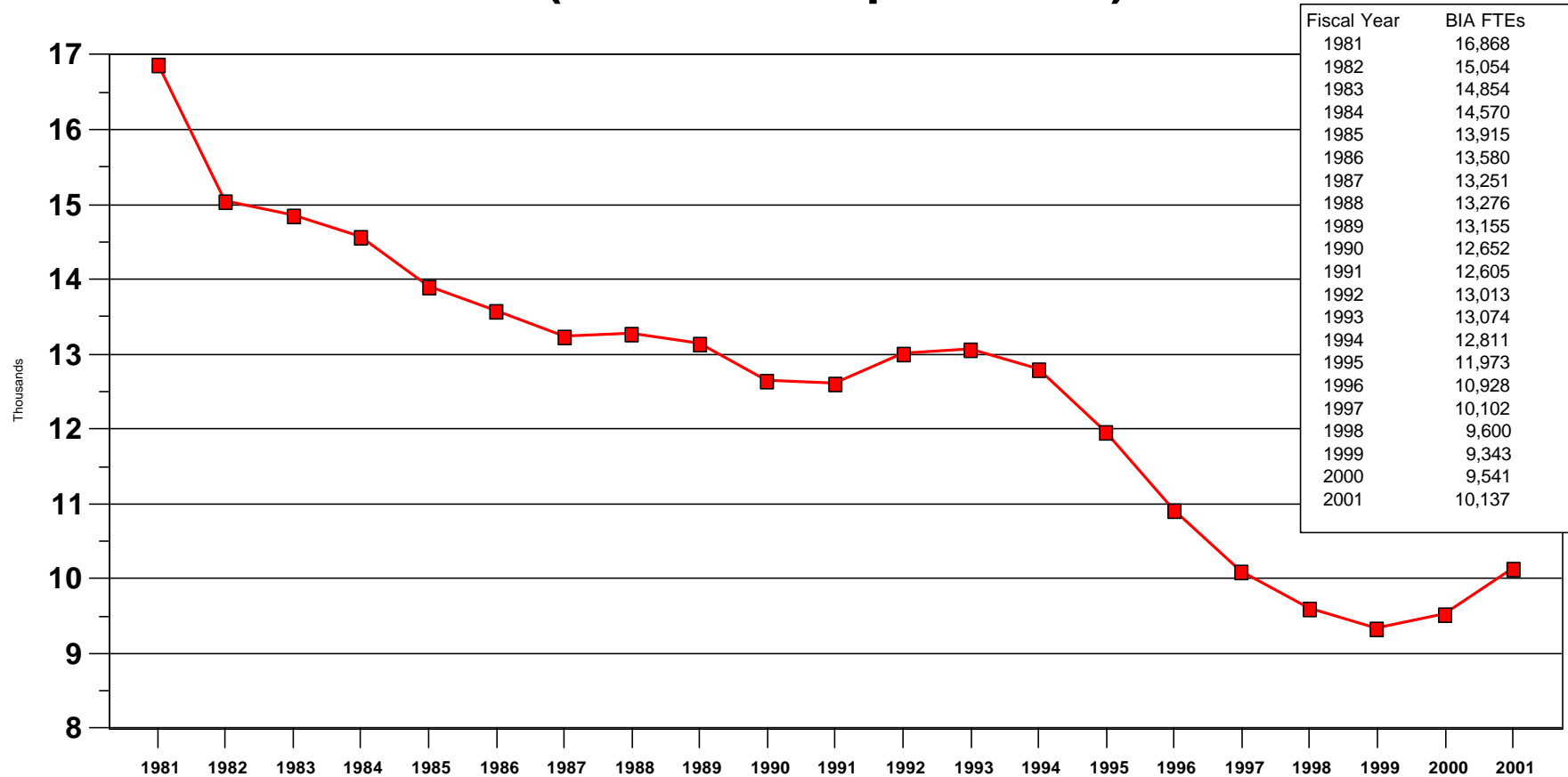
Distribution of FY 2001 Budget Request

Direct Appropriations
(Dollars in Thousands)



CATEGORY	FY 2000 Enacted	FY 2001 Request	% of Total	Change From FY 2000 Enacted
<i>Operation of Indian Programs:</i>				
Tribal Priority Allocations	700,723	761,180	34.7%	60,457
Other Recurring Programs	542,046	581,957	26.4%	39,911
Non-Recurring Programs	64,231	71,405	3.2%	7,174
Central Office Operations	52,637	57,864	2.6%	5,227
Regional Office Operations	42,241	56,794	2.6%	14,553
Special Programs/Pooled Overhead	237,657	265,810	12.1%	28,153
SUBTOTAL	1,639,535	1,795,010	81.6%	155,475
Construction	197,404	365,912	16.6%	168,508
Loan Programs	4,985	6,008	0.3%	1,023
Land and Water Claims Settlements and Miscellaneous Payments to Indians	27,128	34,026	1.5%	6,898
TOTAL	1,869,052	2,200,956	100.0%	331,904

BIA Staffing Trends: 1981 - 2001 (Full-Time Equivalents)



BUREAU OF INDIAN AFFAIRS

Authorizing Statutes

General Authorizations:

25 U.S.C. 13 (The Snyder Act of November 2, 1921), 42 Stat. 208, *P.L. 67-85*; 90 Stat. 2233, *P.L. 94-482*. Permanent.

25 U.S.C. 461 et seq. (The Indian Reorganization Act of 1934), 48 Stat. 984, *P.L. 73-383*; *P.L. 103-263*. No expiration.

25 U.S.C. 450 (The Indian Self-Determination and Education Assistance Act), 88 Stat. 2203, *P.L. 93-638*, *P.L. 100-472*; 102 Stat. 2285, *P.L. 103-413*. No expiration.

25 U.S.C. 452 (The Johnson-O'Malley Act of April 16, 1934), 48 Stat. 596, *P.L. 73-167*; *P.L. 103-332*. No expiration.

25 U.S.C. 2401 et seq., Part 4 of the Anti-Drug Abuse Act of 1986, Subtitle C (The Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986), 106 Stat. 4582, *P.L. 99-570*, as amended; 102 Stat. 4217, *P.L. 100-690*; *P.L. 102-573*. Appropriations authorized through 2000. Reauthorization is required for the FY 2001 request.

In addition to the general authorizations listed above, the following programs have specific authorizing legislation as shown below:

OPERATION OF INDIAN PROGRAMS

Education

School Operations 25 U.S.C. 2001-2019 (The Education Amendments of 1978), 92 Stat. 2143, *P.L. 95-561*, as amended; *P.L. 103-382*. Certain appropriations authorized through 1999.

25 U.S.C. 2008 (The Quarter Blood Amendment), 99 Stat. 1747, *P.L. 99-228*; *P.L. 101-301*. No expiration.

Continuing Education 25 U.S.C. 1810 et seq. (The Tribally Controlled College Assistance Act of 1978), *P.L. 105-244*, Sec. 316. Appropriations authorized through 2002.

Tribal Government

Aid to Tribal Government 25 U.S.C. 1721 et seq. (The Maine Indian Claims Settlement Act of 1980), *P.L. 96-420*; *P.L. 102-171*.

25 U.S.C. 1401 et seq. (The Indian Judgment Fund Distribution Act of 1973); 87 Stat. 466, *P.L. 93-134*.

25 U.S.C. 651 (Advisory Council on California Indian Policy Act of 1992), 106 Stat. 2131, *P.L. 102-416*.

New Tribes 25 U.S.C. 983 (Ponca Restoration Act), 104 Stat. 1167, *P.L. 101-484*

25 U.S.C. 1721 (Aroostook Band of Micmacs Settlement Act), 105 Stat. 1143,

P.L. 102-171

25 U.S.C. 1300 et seq. (California Rancheria Act of 1958), 72 Stat. 619, *P.L. 85-671*; Act of August 11, 1964, 78 Stat. 390, *P.L. 88-419*

25 U.S.C. 941 (Catawba Indian Tribe of South Carolina Land Claims Settlement Act of 1993), 107 Stat. 1118, *P.L. 103-116*

25 U.S.C. 1300l (Auburn Indian Restoration-Title II), 108 Stat. 4526, *P.L. 103-434*

25 U.S.C. 1300j (Pokagon Band of Potawatomi Indians), 108 Stat. 2153, *P.L. 103-323*

25 U.S.C. 1300k (Little Traverse Bay Bands of Odawa Indians and the Little Band of Ottawa Indians Act), 108 Stat. 2156, *P.L. 103-324*

25 U.S.C. 1300m (Paskenta Band of Nomlaki Indians), 108 Stat. 4793, *P.L. 103-454*, Title III.

Self Governance 25 U.S.C. 458 et seq. (Tribal Self-Governance); *P.L. 103-413*, Title IV.

Public Safety and Justice

Tribal Courts 25 U.S.C. 1721 et seq. (The Maine Indian Claims Settlement Act of 1980), *P.L. 96-420*; *P.L. 102-171*.

25 U.S.C. 3621 (Indian Tribal Justice Act), 107 Stat. 2004, *P.L. 103-176*; Appropriations authorized through 2000. Reauthorization is required for the FY 2001 request.

Law Enforcement 18 U.S.C. 3055 (Act of June 25, 1948), 62 Stat. 817, *P.L. 80-722*; *P.L. 103-322*.

25 U.S.C. 2801 et seq. (Indian Law Enforcement Reform Act), 104 Stat. 473, *P.L. 101-379*.

5 U.S.C. 5305 (Federal Law Enforcement Pay Reform), 104 Stat. 1465, *P.L. 101-509*, Title IV; *P.L. 103-322*.

Human Services

Social Services 25 U.S.C. 1901 et seq. (Indian Child Welfare Act), 92 Stat. 3069, *P.L. 95-608* (Family Support Act), 102 Stat. 2343, *P.L. 100-485*. No expiration.

25 U.S.C. 1300b (Texas Band of Kickapoo Act), 96 Stat. 2269, *P.L. 97-429*. No expiration.

Child Protection 25 U.S.C. 3210 (Indian Child Protection and Family Violence Prevention Act), 104 Stat. 4531, *P.L. 101-630*, Title IV. Authorization of appropriations for Sec. 410 and 411 expires in FY 2000. Reauthorization is required for the FY 2001 request.

Community Development

Employment Development	25 U.S.C. 309 (Vocational Training), 8/3/56, 70 Stat. 986, <i>P.L. 84-959</i> ; 77 Stat. 471, <i>P.L. 88-230</i> ; <i>P.L. 90-252</i> . No expiration.
	25 U.S.C. 3402 et seq. (Indian Employment Training and Related Services Demonstration Act of 1992), 106 Stat. 2302, <i>P.L. 102-477</i> . No expiration.
Economic Development	25 U.S.C. 1523 (The Indian Financing Act of 1974), <i>P.L. 93-262</i> , as amended; 98 Stat. 1725, <i>P.L. 98-449</i> . No expiration.
	2 U.S.C. 661 (Budget Enforcement Act of 1990, Title V - The Federal Credit Reform Act of 1990, Section 13112), 104 Stat. 1388, <i>P.L. 101-508</i> . No expiration.
	25 U.S.C. 305 (The Act of August 27, 1935), 49 Stat. 891, <i>P.L. 74-355</i> ; 104 Stat. 4662, <i>P.L. 101-644</i> (Indian Arts and Crafts Act of 1990). No expiration.
Road Maintenance	25 U.S.C. 318a (The Federal Highway Act of 1921), 45 Stat. 750, <i>P.L. 70-520</i> .
<u>Resources Management</u>	
Agriculture and Range	25 U.S.C. 3701 (American Indian Agriculture Resource Management Act), 107 Stat. 2011, <i>P.L. 103-177</i> . No expiration.
Forestry	25 U.S.C. 406 & 407 (The Act of June 25, 1910), 36 Stat. 857; <i>61-313</i> .
	18 U.S.C. 1853, 1855, and 1856, 62 Stat. 787 and 788; <i>P.L. 100-690</i> .
	25 U.S.C. 3117 (The National Indian Forest Management Act), 104 Stat. 4544, <i>P.L. 101-630</i> , Sec. 318.
Wildlife and Parks	16 U.S.C. 3631 (The U.S./Canada Pacific Salmon Treaty Act of 1985), 99 Stat. 7, <i>P.L. 99-5</i> . No expiration.
	16 U.S.C. 3101 (The Alaska National Interest Lands Conservation Act of 1980), 94 Stat. 2430, <i>P.L. 96-487</i> . No expiration.
	42 U.S.C. 1966 (The American Indian Religious Freedom Act of 1978), 92 Stat. 469, <i>P.L. 95-341</i> ; 108 Stat. 3125, <i>P.L. 103-344</i> .
	Truckee-Carson-Pyramid Lake Water Settlement Act, 104 Stat. 3294, <i>P.L. 101-618</i> . No expiration.
	Fallon Paiute Shoshone Tribal Settlement Act, 104 Stat. 3289, <i>P.L. 101-618</i> . No expiration.
Minerals and Mining	25 U.S.C. 2106 (Indian Mineral Development Act of 1982) 86 Stat 1940, <i>P.L. 97-382</i> . No expiration.
	16 U.S.C. 1271 et seq. (Umatilla Basin Project Act), <i>P.L. 100-557</i> .
Real Estate Services	25 U.S.C. 176 (Reorganization Plan No. 3 of 1946), 60 Stat. 1097. No expiration.
	25 U.S.C. 311 (The Act of March 3, 1901), 31 Stat. 1084, <i>P.L. 56-382</i> . No

expiration.

25 U.S.C. 393 (The Act of March 3, 1921), 41 Stat. 1232, *P.L. 66-359*. No expiration.

25 U.S.C. 2201 et seq. (Indian Land Consolidation Act), 96 Stat. 2515, *P.L. 97-459*; 98 Stat. 3171, *P.L. 98-608*; *P.L. 102-238*. No expiration.

Trust Services

Indian Rights Protection 28 U.S.C. 2415 (Statute of Limitations; The Indian Claims Limitation Act of 1982), 96 Stat. 1976, *P.L. 97-394*; *P.L. 98-250*. No expiration.

16 U.S.C. 3101 (The Alaska National Interest Lands Conservation Act), 94 Stat. 2371, *P.L. 96-487*.

43 U.S.C. 1601 (The Alaska Native Claims Settlement Act), 106 Stat. 2112-2125, *P.L. 92-203*.

25 U.S.C. 3907 (Indian Lands Open Dump Cleanup Act of 1994), 108 Stat. 4164, *P.L. 103-399*. No expiration.

Navajo-Hopi Settlement 25 U.S.C. 640 et seq. (The Navajo-Hopi Settlement Act of December 22, 1974), *P.L. 93-531*; *P.L. 102-180*, 105 Stat. 1230. Expires when President determines that its functions have been fully discharged.

General Administration

Administration Chief Financial Officers Act, 104 Stat. 2838, *P.L. 101-576*.

Indian Gaming 25 U.S.C. 2701 et seq. (Indian Gaming Regulatory Act), 102 Stat. 2467, *P.L. 100-497*; 105 Stat. 1908, *P.L. 102-238*. No expiration.

CONSTRUCTION

Facility Construction 25 U.S.C. 631(2)(12)(14) (The Act of April 19, 1950), 64 Stat. 44, *P.L. 81-474*, 72 Stat. 834, *P.L. 85-740*. No expiration.

25 U.S.C. 465 (The Act of June 18, 1934), 48 Stat. 984, *P.L. 73-383*. No expiration.

25 U.S.C. 318a (The Act of May 26, 1928), *P.L. 70-520*, 45 Stat. 750. No expiration.

Road Construction 25 U.S.C. 104(b)(5)(A) (The Surface Transportation and Uniform Relocation Assistance Act of April 2, 1987), 101 Stat. 145, *P.L. 100-17*, as amended by 101 Stat. 1919, *P.L. 102-240*. No expiration.

25 U.S.C. 204(b) and (c) (The Surface Transportation and Uniform Relocation Assistance Act of April 2, 1987), as amended by 101 Stat. 1919, *P.L. 102-240*. No expiration.

Resources Management	Navajo Indian Irrigation Project(Navajo Indian Irrigation Project: San Juan-Chama Project), 76 Stat. 96, <i>P.L.87-483</i> . No expiration.
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INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

White Earth Reservation Claims Settlement Act	25 U.S.C. 331 (The Act of March 24, 1986), 100 Stat. 61, <i>P.L. 99-264</i> . No expiration.
Old Age Assistance Claims Settlement Act	25 U.S.C. 2301 (The Act of October 19, 1984), 98 Stat. 2317, <i>P.L. 98-500</i> . No expiration.
Hoopa-Yurok	25 U.S.C. 1300i (Hoopa-Yurok Settlement Act) 102 Stat. 2924, <i>P.L. 100-580</i> , 25 U.S.C. 1721 et seq. (Settlement Act of 1980), 94 Stat. 1785, <i>P.L. 96-420</i> . No expiration.
Truckee-Carson-Pyramid Lake Water Rights Settlement	(Truckee Carson Pyramid Lake Water Rights Settlement Act), 104 Stat. 3294, <i>P.L. 101-618</i> . Appropriations authorized through 1997. No expiration.
Ute Indian Rights Settlement	(Reclamation Projects Authorization and Adjustment Act of 1992), 106 Stat. 4650, <i>P.L. 102-575</i> . Authorization for Bonneville Tribal Credit expires in 2043.
Rocky Boys	<i>P.L. 106-163</i> , Chippewa Cree Tribe of the Rocky Boy's Reservation Indian Reserved Water Rights Settlement and Water Supply Enhancement Act

MISCELLANEOUS PERMANENT APPROPRIATIONS & TRUST FUNDS

Claims and Treaty Obligations	Act of February 19, 1831 Treaty of November 11, 1794 Treaty of September 24, 1857 Acts of March 2, 1889; June 10, 1896; June 21, 1906 (Menominee Restoration Act), 87 Stat. 770, <i>P.L. 93-197</i>
O & M, Indian Irrigation Systems	25 U.S.C. 162a (The Act of November 4, 1983), 60 Stat. 895, <i>P.L. 98-146</i>
Power Systems, Indian Irrigation Projects	25 U.S.C. 162a (The Act of November 4, 1983), 60 Stat. 895, <i>P.L. 98-146</i> , 65 Stat. 254
Alaska Resupply Program	Act of February 20, 1942, 56 Stat. 95, <i>P.L. 77-457</i> . No expiration.

OPERATION AND MAINTENANCE OF QUARTERS

O & M, Quarters

5 U.S.C. 5911 (Federal Employees Quarters and Facilities Act of August 20, 1964), *P.L. 88-459*, *P.L. 98-473*; *P.L. 100-446*

INDIAN LOAN GUARANTY AND INSURANCE FUND

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

**INDIAN LOAN GUARANTY AND INSURANCE GUARANTEED LOAN
LIQUIDATING ACCOUNT**

TECHNICAL ASSISTANCE OF INDIAN ENTERPRISES

REVOLVING FUND FOR LOANS

INDIAN DIRECT LOAN PROGRAM ACCOUNT

REVOLVING FUND FOR LOANS DIRECT LOAN FINANCING

The credit accounts listed above include those authorized under the Indian Financing Act or newly authorized under the Credit Reform Act of 1990. These statutes are:

25 U.S.C. 1451 et seq. (The Indian Financing Act of April 12, 1974), *P.L. 93-262*, as amended by *P.L. 98-449* and *P.L. 100-442*. Ceiling on Guaranteed Loans of \$500 million.

2 U.S.C. 661 (Budget Enforcement Act of 1990, Title V - The Federal Credit Reform Act of 1990), *P.L. 101-508*, *Section 1320*. No expiration.
